

House Bill 3260

Sponsored by Representative BARNHART

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes bill of rights for customers of telecommunications providers.

A BILL FOR AN ACT

Relating to telecommunications.

Whereas telecommunications has become a key part of the lives of many, if not most, consumers; and

Whereas consumers are frustrated at the lack of accountability, responsiveness and accurate information coming from many providers of telecommunications services; and

Whereas a Telecommunications Consumers' Bill of Rights is necessary to clearly state the performance that consumers can expect from telecommunications providers and the services that providers are required to give to their customers; now, therefore,

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2003 Act is added to and made a part of ORS chapter 759.

SECTION 2. Oregon telecommunications consumers have the following rights:

(1) All consumers have the right to an equal and affordable opportunity to access basic local telephone service as a separate and distinct service including, at a minimum, unlimited voice-grade usage of the telecommunications network or networks within the local calling area, single-party service, push-button dialing service, a directory listing with home-based delivery of that directory, access to a 9-1-1 emergency reporting system, access to operator services, access to a telecommunications relay service, access to affordable directory assistance and access to long-distance networks. Low-income consumers and consumers who live in high-cost areas are entitled to support to ensure universal service, which must be competitively neutral and cost-based.

(2) All consumers have the right to an equal opportunity to subscribe to basic local telephone service at an affordable flat monthly rate based on the cost of providing that service.

(3) All consumers have the right to be provided with information that clearly describes a service and the price and other terms on which the service is offered before subscribing to the service. All consumers affected by a change in service or price have a right to be notified in sufficient time before the change to permit the consumer to terminate the service or select an alternative service.

(4) All consumers have the right to be accurately billed for services that are authorized by consumers and to have telecommunications providers provide clearly worded and well-organized bills. Consumers have the right to dispute charges or services listed on their bills

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 and to have telecommunications providers provide information on bills clearly explaining how
2 and where consumers can file disputes. Consumers have the right to have telecommuni-
3 cations providers address disputes in a timely manner and without harassment.

4 (5) All consumers have a right to personal privacy with respect to the content of their
5 telecommunications and, to the extent practicable, must be able to reject intrusive commu-
6 nications and technology. Consumers have a right to complete control of personal records
7 and information and a right to protection from any use of personal records and information,
8 unless the customer has expressly consented to the release of the records and information
9 or the use is required by law. Consumers have the right to have telecommunications pro-
10 viders provide them with a clear and concise written statement describing how customer-
11 specific information will be used, maintained and disclosed.

12 (6) All consumers have the right to the protections afforded by effective regulation of
13 monopoly and near-monopoly telecommunications services until real and significant compe-
14 tition develops for such services. Consumers must have ongoing protection from anti-
15 competitive practices in any transitional or post-transitional marketplace. All consumers are
16 entitled to aggressive monitoring and enforcement of consumer safeguards adopted by state
17 and federal regulators.

18 (7) All consumers must have the right to access to service that meets or exceeds
19 quality-of-service standards promulgated by state and federal regulators. Consumers must
20 be provided local directories with a 24-hour repair service number. Consumers have the right
21 to request and promptly receive telecommunications providers' annual quality of service re-
22 ports. Consumers also have the right to timely customer service by knowledgeable employ-
23 ees. Consumers have the right to be treated with courtesy and respect and to speak with a
24 supervisor if dissatisfied with customer service. Consumers have the right to a fair com-
25 plaint process and to be provided with the information about that process and how to file a
26 complaint. Consumers have the right to a customer-oriented response for complaints within
27 48 hours.

28 (8) All consumers have the right to participate in public policy proceedings regarding
29 telecommunications services and the right to be informed of the means to participate.
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